


Councilmember Jack Evans

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to Congressional review, the District of Columbia Noise Control Act of 1977 to clarify the definition of noise disturbance to provide that noise meter readings are not required evidence of violations of the reasonable person standard that occur outside of the Central Employment Area.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Noise Control Congressional Review Emergency Amendment Act of 2001".

Sec. 2. Section 3(n) of the District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53; 20 DCMR § 3000.1), is amended by striking the second sentence and inserting a new second and third sentence in its place to read as follows: "In making a determination of a noise disturbance, the Mayor shall consider the location, time of day when the noise is occurring or will occur, and the duration of the noise. In addition, the Mayor may consider the magnitude of the noise relative to the maximum permissible noise levels permitted under this act, the possible obstruction or interference with vehicular or pedestrian traffic, the number of people that are or would be affected, and such other factors as are reasonably related to the impact of the noise on the health, safety, welfare, peace, and quiet of the community."

Sec. 3. This bill will have no ascertainable fiscal impact as it merely clarifies the Council's

intent that noise meter readings are not required to prove violations of the act outside of the Central Employment Area. 1
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Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto) and approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Code § 1-229(a)). 3
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